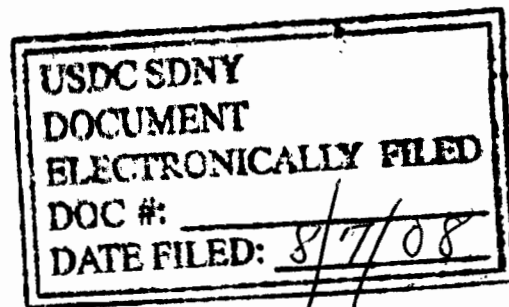




THE CITY OF NEW YORK  
LAW DEPARTMENT  
100 CHURCH STREET  
NEW YORK, NY 10007

MICHAEL A. CARDOZO  
Corporation Counsel



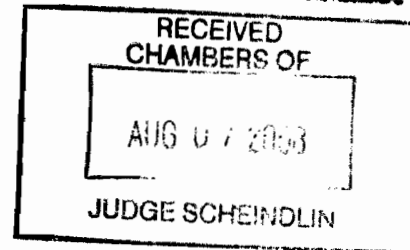
D. ALAN ROSINUS  
phone: 212-788-8316  
fax: 212-788-0940  
email: arosinus@law.nyc.gov

August 6, 2008

**BY HAND**

Hon. Shira A. Scheindlin  
United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 1620  
New York, New York 10007

Re: Derrick James v. C.O. Hernandez et al.,  
08 Civ. 4293 (SAS)



Dear Judge Scheindlin:

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel Michael A. Cardozo, assigned to represent Defendants in the above captioned matter. I write to respectfully request a 30 day extension of time for Defendants to respond to the Complaint, from August 8, 2008 until September 8, 2008.

Unfortunately, it has taken longer than anticipated to investigate Plaintiff's factual allegations and legal claims, to handle any representation issues, and to prepare Defendants' response to the Complaint. The additional time will enable our office to do so.

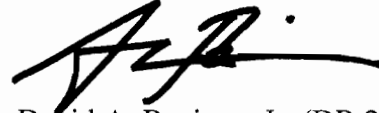
This is the second request for an extension of time to respond in this matter. Defendants' first request, also for a 30 day extension of time, was granted. As plaintiff is proceeding pro se and is currently incarcerated upstate, it was not feasible to obtain his consent to this request.

Please note that, because Plaintiff is incarcerated upstate, we are sending him this letter by overnight mail rather than by hand.

*Request granted. Defendants may have  
until September 8 to respond to the  
Complaint. This is a final adjournment.  
no further adjournments will be granted  
S. Hernandez. [Signature] 8/7/08*

Defendants apologize for any inconvenience to the Court caused by this second request for an extension of time to respond to the Complaint. Thank you for your consideration of this request.

Respectfully,

A handwritten signature in black ink, appearing to read 'A. Rosinus, Jr.', with a stylized flourish extending to the right.

David A. Rosinus, Jr. (DR 2311)  
Assistant Corporation Counsel

cc: By overnight mail  
Derrick James  
#08-A-2148  
Upstate Correctional Facility  
P.O. Box 2001  
Malone, New York 12953